

DIVISION

DEP & RET



2007 JUN 22 PM 12: 21

PATENT

ATTORNEY DOCKET NO.: 040894-7016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Katsunori ONISHI

Application No.: 10/806,475

Filed: March 23, 2004

For: DISK APPARATUS

Confirmation No. 1702

Group Art Unit: 2627

Examiner: Castro, A.

MS 16 - Request for Refund

Director of the United States Patent and Trademark Office

MS 16 - Request for Refund

Alexandria, VA 22314

Sir:

REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26

This is a request for a refund, with respect to particular charges to Deposit Account No. 50-0310, as shown on page 12 of 33 of the attached Deposit Account Statement for the month of January 2007 for the above identified application. Pages 1 and 12 of the Deposit Account Statement are attached.

On January 5, 2007, Applicants filed a Petition for Withdrawal from Issue, A Request for Continued Examination, and an Information Disclosure Statement with authorization to charge Deposit Account No. 50-0310. Due to delivery confusion of the courier, these papers were re-filed via the Electronic Filing System (EFS) of the USPTO. Thus, these papers were filed in duplicate on the same date.

Adjustment date: 07/06/2007 HGE0REN1
 01708/2007 CKHLOK 00000002 500310 10006475
 01 FC:1464 130.00 CR
 Adjustment date: 07/06/2007 HGE0REN1
 01708/2007 CKHLOK 00000002 500310 10006475
 02 FC:1001 790.00 CR

ATTORNEY DOCKET NO.: 040894-7016

Application No.: 10/806,475

Page 2

As shown on the January 2007 Deposit Account Statement, the fees for the RCE and the Petition were each charged twice. However, Applicants' undersigned representative respectfully submits that it is clear that the fees should have only been charged once because the record was clear that the later processed filing was duplicative. (For example, upon processing of the second filing, the RCE would be improper because the first RCE had already been processed. That is, at the time of processing the second filing, prosecution on the merits would have been already re-opened by the first RCE, thereby rendering the second RCE improper.) As such, the second set of fees should not have been charged.

Accordingly, Applicants' undersigned representative respectfully requests a refund of the second set of fees \$920.00 (\$790.00 + \$130.00) which was charged or, if the Office deems the charge to be correct, an explanation of the charge. Please make the refund by crediting Deposit Account No. 50-0310 in the amount of \$920.00.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

Robert J. Goodell

Reg. No. 41,040

Date: June 21, 2007

Customer No. 009629

MORGAN, LEWIS & BOCKIUS

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Telephone: 202-739-3000

Facsimile: 202-739-3001

United States
Patent and
Trademark OfficeDeposit Account Statement

Requested Statement Month:

January 2007

Deposit Account Number:

500310

Name:

MORGAN LEWIS & BOCKIUS LLP

Attention:

BERNADETTE ROBERTSON

Address:

1111 PENNSYLVANIA AVE, N.W.

City:

WASHINGTON

State:

DC

Zip:

20004

Country:

UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
01/03	9	11646270	0B-051900US	1011	\$300.00	\$94,69
01/03	10	11646270	0B-051900US	1111	\$500.00	\$94,19
01/03	12	11646270	0B-051900US	1202	\$600.00	\$93,59
01/03	11	11646270	0B-051900US	1311	\$200.00	\$93,39
01/03	13	11646270	0B-051900US	1201	\$200.00	\$93,19
01/03	364	PCT/US06/62714	63266-5014WO	1601	\$300.00	\$92,89
01/03	365	PCT/US06/62714	63266-5014WO	1701	\$1,008.00	\$91,89
01/03	366	PCT/US06/62714	63266-5014WO	1703	\$192.00	\$91,69
01/03	367	PCT/US06/62714	63266-5014WO	1704	\$2,059.00	\$89,64
01/03	1511	PCT/US06/62731	60963-5182WO	1601	\$300.00	\$89,34
01/03	1514	PCT/US06/62731	60963-5182WO	1704	\$2,059.00	\$87,28
01/03	1513	PCT/US06/62731	60963-5182WO	1703	\$180.00	\$87,10
01/03	1512	PCT/US06/62731	60963-5182WO	1701	\$1,008.00	\$86,09
01/03	1786	11618457	67461-5121US06	1011	\$300.00	\$85,79
01/03	1789	11618457	67461-5121US06	1081	\$250.00	\$85,54
01/03	1787	11618457	67461-5121US06	1111	\$500.00	\$85,04
01/03	1788	11618457	67461-5121US06	1311	\$200.00	\$84,84
01/03	1839	11618472	67461-5121US07	1011	\$300.00	\$84,54
01/03	1840	11618472	67461-5121US07	1111	\$500.00	\$84,04
01/03	1841	11618472	67461-5121US07	1311	\$200.00	\$83,84
01/03	1842	11618472	67461-5121US07	1081	\$250.00	\$83,59
01/03	1919	11618488	67461-5121US08	1011	\$300.00	\$83,29
01/03	1920	11618488	67461-5121US08	1111	\$500.00	\$82,79
01/03	1921	11618488	67461-5121US08	1311	\$200.00	\$82,59
01/03	1922	11618488	67461-5121US08	1081	\$250.00	\$82,34
01/03	1958	10338083	67461-5097US	2814	\$65.00	\$82,27
01/03	76	11059539	040894-7184	1251	\$120.00	\$82,15

01/08 2599 11620647	P4169US1/63266-5045US	1201	\$600.00	\$99,48
01/08 2726 60883782	P4305USP1/63266-5055PR	1005	\$200.00	\$99,28
01/08 2727 60883783	P4306USP1/63266-5056PR	1005	\$200.00	\$99,08
01/08 2728 60883784	P4307USP1/63266-5057PR	1005	\$200.00	\$98,88
01/08 2729 60883785	P4310USP1/63266-5060PR	1005	\$200.00	\$98,68
01/08 2730 60883786	P4320USP1/63266-5071PR	1005	\$200.00	\$98,48
01/08 2827 60883799	P4316USP1/63266-5067PR	1005	\$200.00	\$98,28
01/08 2831 60883800	P4245ISP1/63266-5051PR	1005	\$200.00	\$98,08
01/08 2832 60883801	P4304USP1/63266-5054P1	1005	\$200.00	\$97,88
01/08 2838 60883802	P4923USP1/63266-5083PR	1005	\$200.00	\$97,68
01/08 2840 60883804	P4303USP1/63266-5053PR	1005	\$200.00	\$97,48
01/08 2846 60883805	P4314UPS1/63266-5065PR	1005	\$200.00	\$97,28
01/08 2865 60883806	P4808USP1/63266-5072PR	1005	\$200.00	\$97,08
01/08 2866 60883807	P3933USP1/63266-5015PR	1005	\$200.00	\$96,88
01/08 2867 60883808	P4810USP1/63266-5074PR	1005	\$200.00	\$96,68
01/08 2868 60883809	P4319USP1/63266-5070PR	1005	\$200.00	\$96,48
01/08 2879 60883812	P4813USP1/63266-5077PR	1005	\$200.00	\$96,28
01/08 2881 60883814	P4816USP1/63266-5080PR	1005	\$200.00	\$96,08
01/08 2926 60883817	P4315USP1/63266-5066PR	1005	\$200.00	\$95,88
01/08 2930 60883818	P4817USP1/5081PR	1005	\$200.00	\$95,68
01/08 2969 60883819	P3926USP1/63266-5008PR	1005	\$200.00	\$95,48
01/08 2981 60883820	P3922USP1/63266-5064PR	1005	\$200.00	\$95,28
01/08 2982 60883821	P3924UPS1/63266-5084PR	1005	\$200.00	\$95,08
01/08 3 10806475	040894-7016 Petition fee	1464	\$130.00	\$94,95
01/08 4 10806475	040894-7016 RCE	1801	\$790.00	\$94,16
01/08 22 10806475	040894-7016 RCE	1801	\$790.00	\$93,37
01/08 23 10806475	040894-7016 Petition fee	1464	\$130.00	\$93,24
01/08 41 60878554	088888-0000-PR	2005	\$100.00	\$93,14
01/08 38 60868279	65622-5006-PR	2005	\$100.00	\$93,04
01/08 216 5920241	61094-0026-US	1552	\$2,300.00	\$90,74
01/08 47 11649780	041501-5597-01	1011	\$300.00	\$90,44
01/08 50 11649780	041501-5597-01	1202	\$50.00	\$90,39
01/08 48 11649780	041501-5597-01	1111	\$500.00	\$89,89
01/08 49 11649780	041501-5597-01	1311	\$200.00	\$89,69
01/08 189 10891988	060889-5005	1251	\$120.00	\$89,57
01/08 190 10891988	060889-5005	1201	\$600.00	\$88,97
01/08 88 10882874	060889-5004	1501	\$1,400.00	\$87,57
01/08 11 11650020	67452-5006-US	1011	\$300.00	\$87,27
01/08 12 11650020	67452-5006-US	1111	\$500.00	\$86,77
01/08 15 11650020	67452-5006-US	1202	\$1,250.00	\$85,52
01/08 16 11650020	67452-5006-US	1203	\$360.00	\$85,16
01/08 14 11650020	67452-5006-US	1201	\$600.00	\$84,56
01/08 13 11650020	67452-5006-US	1311	\$200.00	\$84,36
01/08 61 11647476		8021	\$40.00	\$84,32
01/08 62 11647475	060949-5053	8021	\$40.00	\$84,28
01/08 91 11647202	041501-5670	8021	\$40.00	\$84,24
01/08 97 11647430	065542-5040	8021	\$40.00	\$84,20
01/08 98 11647203	064991-5016	8021	\$40.00	\$84,16



**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested Statement Month:

January 2007

Deposit Account Number:

500310

Name:

MORGAN LEWIS & BOCKIUS LLP

Attention:

BERNADETTE ROBERTSON

Address:

1111 PENNSYLVANIA AVE, N.W.

City:

WASHINGTON

State:

DC

Zip:

20004

Country:

UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
01/03	9	11646270	0B-051900US	1011	\$300.00	\$94,69
01/03	10	11646270	0B-051900US	1111	\$500.00	\$94,19
01/03	12	11646270	0B-051900US	1202	\$600.00	\$93,59
01/03	11	11646270	0B-051900US	1311	\$200.00	\$93,39
01/03	13	11646270	0B-051900US	1201	\$200.00	\$93,19
01/03	364	PCT/US06/62714	63266-5014WO	1601	\$300.00	\$92,89
01/03	365	PCT/US06/62714	63266-5014WO	1701	\$1,008.00	\$91,89
01/03	366	PCT/US06/62714	63266-5014WO	1703	\$192.00	\$91,69
01/03	367	PCT/US06/62714	63266-5014WO	1704	\$2,059.00	\$89,64
01/03	1511	PCT/US06/62731	60963-5182WO	1601	\$300.00	\$89,34
01/03	1514	PCT/US06/62731	60963-5182WO	1704	\$2,059.00	\$87,28
01/03	1513	PCT/US06/62731	60963-5182WO	1703	\$180.00	\$87,10
01/03	1512	PCT/US06/62731	60963-5182WO	1701	\$1,008.00	\$86,09
01/03	1786	11618457	67461-5121US06	1011	\$300.00	\$85,79
01/03	1789	11618457	67461-5121US06	1081	\$250.00	\$85,54
01/03	1787	11618457	67461-5121US06	1111	\$500.00	\$85,04
01/03	1788	11618457	67461-5121US06	1311	\$200.00	\$84,84
01/03	1839	11618472	67461-5121US07	1011	\$300.00	\$84,54
01/03	1840	11618472	67461-5121US07	1111	\$500.00	\$84,04
01/03	1841	11618472	67461-5121US07	1311	\$200.00	\$83,84
01/03	1842	11618472	67461-5121US07	1081	\$250.00	\$83,59
01/03	1919	11618488	67461-5121US08	1011	\$300.00	\$83,29
01/03	1920	11618488	67461-5121US08	1111	\$500.00	\$82,79
01/03	1921	11618488	67461-5121US08	1311	\$200.00	\$82,59
01/03	1922	11618488	67461-5121US08	1081	\$250.00	\$82,34
01/03	1958	10338083	67461-5097US	2814	\$65.00	\$82,27
01/03	76	11059539	040894-7184	1251	\$120.00	\$82,15

01/08 2599 11620647	P4169US1/63266-5045US	1201	\$600.00	\$99,48
01/08 2726 60883782	P4305USP1/63266-5055PR	1005	\$200.00	\$99,28
01/08 2727 60883783	P4306USP1/63266-5056PR	1005	\$200.00	\$99,08
01/08 2728 60883784	P4307USP1/63266-5057PR	1005	\$200.00	\$98,88
01/08 2729 60883785	P4310USP1/63266-5060PR	1005	\$200.00	\$98,68
01/08 2730 60883786	P4320USP1/63266-5071PR	1005	\$200.00	\$98,48
01/08 2827 60883799	P4316USP1/63266-5067PR	1005	\$200.00	\$98,28
01/08 2831 60883800	P4245ISP1/63266-5051PR	1005	\$200.00	\$98,08
01/08 2832 60883801	P4304USP1/63266-5054P1	1005	\$200.00	\$97,88
01/08 2838 60883802	P4923USP1/63266-5083PR	1005	\$200.00	\$97,68
01/08 2840 60883804	P4303USP1/63266-5053PR	1005	\$200.00	\$97,48
01/08 2846 60883805	P4314UPS1/63266-5065PR	1005	\$200.00	\$97,28
01/08 2865 60883806	P4808USP1/63266-5072PR	1005	\$200.00	\$97,08
01/08 2866 60883807	P3933USP1/63266-5015PR	1005	\$200.00	\$96,88
01/08 2867 60883808	P4810USP1/63266-5074PR	1005	\$200.00	\$96,68
01/08 2868 60883809	P4319USP1/63266-5070PR	1005	\$200.00	\$96,48
01/08 2879 60883812	P4813USP1/63266-5077PR	1005	\$200.00	\$96,28
01/08 2881 60883814	P4816USP1/63266-5080PR	1005	\$200.00	\$96,08
01/08 2926 60883817	P4315USP1/63266-5066PR	1005	\$200.00	\$95,88
01/08 2930 60883818	P4817USP1/5081PR	1005	\$200.00	\$95,68
01/08 2969 60883819	P3926USP1/63266-5008PR	1005	\$200.00	\$95,48
01/08 2981 60883820	P3922USP1/63266-5064PR	1005	\$200.00	\$95,28
01/08 2982 60883821	P3924UPS1/63266-5084PR	1005	\$200.00	\$95,08
01/08 3 10806475	040894-7016 Petition fee	1464	\$130.00	\$94,95
01/08 4 10806475	040894-7016 RCE	1801	\$790.00	\$94,16
01/08 22 10806475	040894-7016 RCE	1801	\$790.00	\$93,37
01/08 23 10806475	040894-7016 Petition fee	1464	\$130.00	\$93,24
01/08 41 60878554	088888-0000-PR	2005	\$100.00	\$93,14
01/08 38 60868279	65622-5006-PR	2005	\$100.00	\$93,04
01/08 216 5920241	61094-0026-US	1552	\$2,300.00	\$90,74
01/08 47 11649780	041501-5597-01	1011	\$300.00	\$90,44
01/08 50 11649780	041501-5597-01	1202	\$50.00	\$90,39
01/08 48 11649780	041501-5597-01	1111	\$500.00	\$89,89
01/08 49 11649780	041501-5597-01	1311	\$200.00	\$89,69
01/08 189 10891988	060889-5005	1251	\$120.00	\$89,57
01/08 190 10891988	060889-5005	1201	\$600.00	\$88,97
01/08 88 10882874	060889-5004	1501	\$1,400.00	\$87,57
01/08 11 11650020	67452-5006-US	1011	\$300.00	\$87,27
01/08 12 11650020	67452-5006-US	1111	\$500.00	\$86,77
01/08 15 11650020	67452-5006-US	1202	\$1,250.00	\$85,52
01/08 16 11650020	67452-5006-US	1203	\$360.00	\$85,16
01/08 14 11650020	67452-5006-US	1201	\$600.00	\$84,56
01/08 13 11650020	67452-5006-US	1311	\$200.00	\$84,36
01/08 61 11647476		8021	\$40.00	\$84,32
01/08 62 11647475	060949-5053	8021	\$40.00	\$84,28
01/08 91 11647202	041501-5670	8021	\$40.00	\$84,24
01/08 97 11647430	065542-5040	8021	\$40.00	\$84,20
01/08 98 11647203	064991-5016	8021	\$40.00	\$84,16